

1 Nico Banks (CA SBN:344705)
2 **BANKS LAW OFFICE**
3 712 H St NE, Unit #8571
4 Washington, DC 20002
5 Tel.: 971-678-0036
6 Email: nico@bankslawoffice.com

7 Richard A. Nervig (CA SBN:226449)
8 **RICHARD A. NERVIG, P.C.**
9 501 West Broadway, Suite 800
10 San Diego, CA 92101
11 Phone: 760-451-2300
12 Email: richard@nerviglaw.com

13 *Attorneys for Plaintiffs*

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 DAVID HOUGH; *et al.*

17 Plaintiffs,

18 vs.

19 RYAN CARROLL; *et al.*

20 Defendants.

Case No.: 2:24-cv-02886-WLH-SK

**STIPULATION TO STAY
DEFENDANT WELLS FARGO'S
TIME TO FILE A RESPONSIVE
PLEADING PENDING
PLAINTIFFS' FORTHCOMING
SECOND AMENDED COMPLAINT**

Presiding Judge: Hon. Wesley L. Hsu
Trial Date: N/A

21
22
23 **STIPULATION TO STAY DEFENDANT WELLS FARGO'S TIME TO FILE**
24 **A RESPONSIVE PLEADING PENDING PLAINTIFFS' FORTHCOMING**
25 **SECOND AMENDED COMPLAINT**

26 This Stipulation is entered into by and between Plaintiffs and Defendant Wells
27 Fargo, through their respective counsel of record.
28

1
2 WHEREAS, Plaintiffs have received third-party documents and intend to
3 amend the currently operative First Amended Complaint to add new defendants and
4 new allegations about existing defendants;
5

6 WHEREAS, Plaintiffs require additional time to investigate entities and
7 individuals to potentially be added as defendants, and to further investigate
8 forthcoming new allegations about existing defendants;
9

10 WHEREAS, if Plaintiffs are unable to reach agreements on subpoenas they
11 issued, Plaintiffs anticipate filing motions to compel discovery from Wells Fargo as
12 well as third-party banks including Thread Bank, Bank of America, and JP Morgan—
13 including compelling discovery of account statements, wire transfers, and third-party-
14 agent/payment-processor transaction data—no later than July 26, 2024;
15
16

17 WHEREAS, Plaintiffs anticipate that the discovery resulting from those
18 motions to compel, if any, will significantly further inform Plaintiffs' allegations;
19

20 WHEREAS, it would be most efficient—and in the interests of justice—for
21 Plaintiffs to wait to file an amended complaint until Plaintiffs have reviewed the
22 forthcoming discovery that they anticipate receiving shortly;
23

24 WHEREAS, it would also be inefficient for Wells Fargo to file a pleading
25 responsive to the currently operative complaint when the parties anticipate that
26 another amended complaint will be filed;
27

28 IT IS HEREBY STIPULATED AND AGREED by the parties as follows:

1 The deadline for Wells Fargo to file a responsive pleading to the current
2 complaint should be stayed.

3 Plaintiffs should be ordered to file an amended complaint no later than October
4 31, 2024.

5 Wells Fargo should be ordered to file a responsive pleading no later than 30
6 days from the date Plaintiffs file their amended complaint.

7 This stipulation is made without prejudice to any party's right to seek further
8 extensions or modifications by agreement or by order of the Court for good cause.

9 IT IS SO STIPULATED.

10 Dated: July 16, 2024

11
12
13
14 /S/ Nico Banks

15 Nico Banks (CA SBN:344705)

16 **BANKS LAW OFFICE**

17 712 H St NE, Unit #8571

18 Washington, DC 20002

19 Tel.: 971-678-0036

20 Email: nico@bankslawoffice.com

21 Richard A. Nervig (CA SBN:226449)

22 **RICHARD A. NERVIG, P.C.**

23 501 West Broadway, Suite 800

24 San Diego, CA 92101

25 Phone: 760-451-2300

26 Email: richard@nerviglaw.com

27 *Attorneys for Plaintiffs*

28 /s/ Michael S. Lowe

MICHAEL S. LOWE

Troutman Pepper Hamilton Sanders

2 Logan Square

18th and Arch Streets

Philadelphia, PA 19103
Phone: 215-981-4364
Fax: 215-981-4750
Email: michael.lowe@troutman.com

Attorney for Wells Fargo Bank, N.A.

WORD COUNT COMPLIANCE CERTIFICATION

The undersigned, counsel of record for Plaintiffs, certifies that this brief contains fewer than 7,000 words, which complies with the word limit of L.R. 11-6.1

/s/Nico Banks

Nico Banks

Dated: July 16, 2024

ATTESTATION

Pursuant to L.R. 5-4.3.4, I hereby attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

/s/ Nico Banks
Nico Banks

CERTIFICATE OF SERVICE

On July 16, 2024, I served this motion and accompanying papers via first-class mail to the parties listed below with addresses below their names, and via email to the parties with email addresses below their names:

JARED DAY;
19710 Chara Ct,
Cypress, TX 77433

CHRISTINE CARROLL;
11298 Snow View Ct,
Yucaipa, CA 92399

TRAVIS MARKER; THE LAW OFFICE OF TRAVIS R. MARKER, A
PROFESSIONAL CORPORATION (D.B.A. "MARKER LAW AND
MEDIATION"); & PARLAY LAW GROUP A PROFESSIONAL
CORPORATION
333 2nd St.
Suite 16,

1 Ogden, UT, 84404

2 MATTHEW CROUCH;

3 Via email to his attorney Levi Y. Silver at lsilver@swsslaw.com

4 REYHAN PASINLI & TOTAL-APPS, INC.

5 Via email to their attorney Geoffrey Brethen at gbrethen@wattslawyers.com

6 TROY MARCHAND & QUANTUM ECOMMERCE

7 Via email to their attorney Marc Reich at mgr@reichradcliffe.com

8 BONNIE NICHOLS & WHOLESALE UNIVERSE;

9 Via email to their attorney Brad Geyer at bradford.geyer@formerfedsgroup.com

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing statements in this Certificate of Service are true and correct.

12 /s/Nico Banks

13 Nico Banks

14 Dated: July 16, 2024